

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

| | | |
|-----------------------------------|---|---------------------------|
| JAMES GRIFFITH, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 3:08-0385 |
| |) | Judge Echols |
| |) | |
| WILLIAM WHITESELL, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

For the reasons explained in the accompanying Memorandum, the Court hereby enters the following rulings:

(1) The Report and Recommendation of the Magistrate Judge (Docket Entry No. 106) is hereby ACCEPTED and APPROVED;

(2) Plaintiff James Griffith's Objections to the Report and Recommendation (Docket Entry Nos. 108, 109 & 111) are hereby OVERRULED;

(3) "Defendant Truman L. Jones, Jr.'s Motion for Summary Judgment" (Docket Entry No. 63) is hereby GRANTED;

(4) The "Motion for Summary Judgment of Defendant John R. Rudd, M.D." (Docket Entry No. 70) is hereby GRANTED;

(5) Plaintiff James Griffith's "Motion to Amend the Above Case" (Docket Entry No. 110) is hereby DENIED;

(6) This case is hereby DISMISSED WITH PREJUDICE; and

(7) The Court hereby CERTIFIES under 28 U.S.C. § 1915(a)(3) that any in forma pauperis appeal from this Order which enters judgment in favor of the Defendants and dismisses Plaintiff's Complaint would not be taken in good faith.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is SO ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written in a cursive style.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE